



WESTFIELD-WASHINGTON

ADVISORY PLAN COMMISSION

SECOND MEETING

October 18, 2010

1009-REZ-01

PETITION NUMBERS:	1009-REZ-01
SUBJECT SITE ADDRESS:	4160 State Road 32 West
PETITIONER:	Daniel Delullo
REQUEST:	Change in Zoning for approximately 1.3 acres from SF-5 to General Business (GB); and,
CURRENT ZONING:	SF-5
CURRENT LAND USE:	Residential
APPROXIMATE ACREAGE:	1.3
STAFF REVIEWER:	Kevin M. Todd, AICP
ZONING HISTORY	None
EXHIBITS:	1. Staff Report 2. Concept Plan 3. Proposed Use List

PETITION HISTORY

This change in zoning petition was introduced at the August 9, 2010 City Council meeting. It was reviewed at the August 24, 2010 Technical Advisory Committee meeting and received a public hearing at the September 7, 2010 Advisory Plan Commission (the “APC”) meeting. This item was tabled at the September 20, 2010 APC meeting.

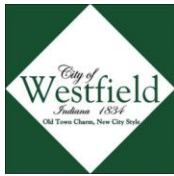
PROCEDURAL

The recommendation from the APC to the City Council may be made at the October 18, 2010 APC meeting.

PROJECT DESCRIPTION

The petitioner is the operator of an Italian restaurant, Delullo’s Italian Bistro. The restaurant is a landmark in Jolietville and has most-recently been located at the southwest corner of State Road 32 and Joliet Road. The petitioner is seeking to move the restaurant across the street to a larger site, which could accommodate off-street parking for the business. The subject property is located on the north side of State Road 32, just west of Joliet Road (the “Property”). It is currently residential in use. The plans call for converting the existing residential structure into a restaurant and constructing a new parking lot north of the building (the “Project”).

The rezone petition includes a proposed list of uses for the Property. The proposal limits the GB use list by including uses which align with the Comprehensive Plan’s vision for the village of Jolietville.



INDIANA CODE

Ind. Code 36-7-4-603 states that reasonable regard shall be paid to:

1. The Comprehensive Plan.

The Future Land Use Concept Map in the Westfield-Washington Township Comprehensive Plan (the “Comprehensive Plan”) identifies the Property as being within the village of Jolietville. The Comprehensive Plan identifies “food and entertainment” as appropriate land uses within Jolietville. The proposed use of a restaurant is consistent with the Comprehensive Plan’s recommendation for this area.

2. Current conditions and the character of current structures and uses.

The Property is currently residential. It is accessed by a private drive from State Road 32. The Property is improved with a detached single family residential structure and a detached garage.

3. The most desirable use for which the land is adapted.

The Comprehensive Plan identifies the potential for redevelopment to occur in the Jolietville area. Restaurants like Delullo’s need visibility and passing traffic in order to be successful. The Property is located on State Road 32, which carries significant traffic in Washington Township.

4. The conservation of property values throughout the jurisdiction.

It is likely that property values throughout Washington Township will not be impacted by changing the zoning of the Property to General Business. Adjacent property, both to the east and south, is zoned for business uses. The Comprehensive Plan recommends this type of redevelopment to occur in Jolietville.

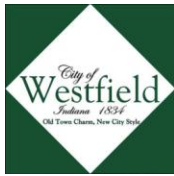
5. Responsible growth and development.

The petitioner has a need to relocate the business, and the opportunity to retain this existing Jolietville business is good economic development for the City of Westfield. Neighboring property to the east and to the south is zoned and used commercially. Public facilities such as water and sewer services are not yet to the area, but well and septic systems can serve the property until public facilities become available.

“BIG PICTURE” DISCUSSION ITEM

Land Uses

Requesting the General Business zoning classification instead of the Local Business classification stems from the Property’s size and configuration. The Property does not meet the Local Business minimum lot requirements, but it does meet the General Business lot requirements. In order to avoid a number of development standard variance requests on the heels of a change in zoning request, staff recommended the General Business District for the Property. The Petitioner has proposed a list of uses (see Exhibit 3), which largely restrict the list of permitted uses so that it is more comparable with the Local Business list of permitted use



and better fits the Comprehensive Plan's vision for Jolietville. If the proposed use list is agreeable to the APC, then it will be formalized into a written commitment by the property owner before being presented to the City Council.

PUBLIC POLICIES

Comprehensive Plan-Aug 2009

The Future Land Use Concept Map in the Westfield-Washington Township Comprehensive Plan (the "Comprehensive Plan") identifies the Property as being within the village of Jolietville. The Comprehensive Plan identifies "food and entertainment" as appropriate land uses within Jolietville. The proposed use of a restaurant is consistent with the Comprehensive Plan's recommendation for this area.

Thoroughfare Plan- July 2010

The Westfield-Washington Township Thoroughfare Plan (the "Thoroughfare Plan") roadway classification map identifies State Road 32 as a "Primary Arterial", and recommends a minimum dedication of a seventy-five (75) foot half right-of-way.

Parks & Recreation Master Plan-Dec 2007

The Westfield Parks & Recreation Master Plan focuses on the build-out and development of the City's existing parks and trail systems. The Parks Master Plan does not have specific plans for this Property.

Water & Sewer System

The Property is not served by City of Westfield water or sewer facilities. Private well(s) and a commercial septic system will be required until public facilities become available.

Annexation

The Property is within the corporate boundaries of the City of Westfield.

Well Head Protection-Ord. 05-31

The Property is not within a wellhead protection area.



WESTFIELD-WASHINGTON

ADVISORY PLAN COMMISSION

SECOND MEETING

October 18, 2010

1009-REZ-01

Plan Documentation

Pending compliance with any conditions, the petitioner will have provided the required documents.

<u>Required Submittals</u>	<u>Original</u>	<u>Amended</u>	<u>Status</u>
Application	8/02/10	-	Submitted
Fees	8/02/10	-	Paid
Legal Description	8/02/10	-	Submitted
Consent Form	10/12/10	-	Submitted

<u>Required Procedure</u>	<u>Original</u>	<u>Status</u>
Pre-Filing Conference	10/29/09	Meeting Held
TAC	08/24/10	Meeting Held
Notice - Sign on site	08/27/10	Posted
Notice- Newspaper	08/27/10	Published
Notice -Mail	08/27/10	Postmarked

STAFF RECOMMENDATION

Send this item to the City Council with a favorable recommendation.

KMT